

**UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF NORTH CAROLINA  
DURHAM DIVISION**

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In re:

**Joel Edward Woods and Janie Margaret  
Johnson**

**Case No. 10-81235**

S.S. Nos.: xxx-xx-3746 and xxx-xx-8211

Mailing Address: 2715 Independence Avenue, Durham , NC 27703-

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Debtors.

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**NOTICE TO CREDITORS AND PROPOSED PLAN**

The Debtors have filed for relief under Chapter 13 of the United States Bankruptcy Code on July 15, 2010.

The filing automatically stays collection and other actions against the Debtors, Debtors' property and certain co-debtors. If you attempt to collect a debt or take other action in violation of the bankruptcy stay, you may be penalized.

Official notice will be sent to creditors, which will provide the name and address of the Trustee, the date and time of the meeting of creditors, and the deadline for objecting to the plan. The official notice will include a proof of claim form.

A creditor must timely file a proof of claim with the Trustee in order to receive distributions under the plan. The Trustee will mail payments to the address provided on the proof of claim unless the creditor provides another address in writing for payments. If the claim is subsequently assigned or transferred, the Trustee will continue to remit payment to the original creditor until a formal notice of assignment or transfer is filed with the Court.

Attached is a copy of the Debtors' proposed Chapter 13 Plan consisting of 2 documents entitled: (1) Chapter 13 Plan and (2) Ch. 13 Plan - Debts Sheet (Middle). This is the same Plan that has already been filed with the Court.

Dated: August 12, 2010

**LAW OFFICES OF JOHN T. ORCUTT, P.C.**

/s John T. Orcutt

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John T. Orcutt  
N.C. State Bar No. 10212  
Counsel for the Debtors  
6616-203 Six Forks Rd.  
Raleigh, N.C. 27615  
Tel. No. (919) 847-9750

circular.wpt (rev. 5/17/09)

**CH. 13 PLAN - DEBTS SHEET**  
(MIDDLE DISTRICT - DESARDI VERSION)

Date: 6/30/10

Lastname-SS#: Woods-3746

**RETAIN COLLATERAL & PAY DIRECT OUTSIDE PLAN**

Creditor Name	Sch D #	Description of Collateral

**SURRENDER COLLATERAL**

Creditor Name	Description of Collateral

**MARRIAGE CLAIMS**

Creditor Name	Sch D #	Arrearage Amount	(See t)
			**
			**
			**
			**
			**
1st DOT-Everhome		\$18,207	**
			**
			**
			**

**REJECTED SECURED CONTRACTS/LEASES**

Creditor Name	Description of Collateral

**LTD - DOT ON PRINCIPAL RESIDENCE & OTHER LONG TERM DEBTS**

Creditor Name	Sch D #	Monthly Contract Amount	Int. Rate	Adequate Protection	Minimum Equal Payment	Description of Collateral
1st DOT-Everhome		\$1,060	N/A	n/a	\$1,060.00	Residence
			N/A	n/a		
			N/A	n/a		
			N/A	n/a		

**STD - SECURED DEBTS at FMV**

Creditor Name	Sch D #	FMV	Int. Rate	Adequate Protection	Minimum Equal Payment	Description of Collateral
Non-910-Regional Finance		\$9,450	5.00	\$95	\$192.82	2006 Isuzu Truck
			5.00			
			5.00			
			5.00			

**STD - SECURED DEBTS at 100%**

Creditor Name	Sch D #	Payoff Amount	Int. Rate	Adequate Protection	Minimum Equal Payment	Description of Collateral
910-Santander		\$18,820	5.00	\$162	\$384.00	2008 Chrysler Sebring
			5.00			
			5.00			
			5.00			
			5.00			

ATTORNEY FEE (Unpaid part)		Amount
Law Offices of John T. Orcutt, P.C.		\$2,600
SECURED TAXES		Secured Amt
IRS Tax Liens		
Real Property Taxes on Retained Realty		
UNSECURED PRIORITY DEBTS		Amount
IRS Taxes		\$29,851
State Taxes		
Personal Property Taxes		
Alimony or Child Support Arrearage		
CO-SIGN PROTECT (Pay 100%)	Int. %	Payoff Amt
All Co-Sign Protect Debts (See*)		
GENERAL NON PRIORITY UNSECURED		Amount
DMI=	None(\$0)	None(\$0)

**PROPOSED CHAPTER 13 PLAN PAYMENT**

\$	\$2,584	per month for	60	months, then
\$	N/A	per month for	N/A	months.

Adequate Protection Payment Period: 1.12 months.

Sch D # = The number of the secured debt as listed on Schedule D.

Adequate Protection = Monthly 'Adequate Protection' payment amt.

† = May include up to 2 post-petition payments.

\* Co-sign protect on all debts so designated on the filed schedules.

\*\* = Greater of DMI x ACP or EAE (Page 4 of 4)

Ch13Plan\_MD (DeSardi Version 1/12/10) © LOJTO

**Other Miscellaneous Provisions**

Plan to allow for 3 "waivers".

## **CERTIFICATE OF SERVICE**

I, Jay Ballentine, the undersigned, certifies that a copy of the foregoing **NOTICE TO CREDITORS AND PROPOSED PLAN** was served by automatic electronic noticing upon the following Trustee:

Richard M. Hutson, II  
Chapter 13 Trustee

and was also served by first class U.S. mail, postage prepaid, to the following parties at their respective addresses:

**All the creditors set forth on the mailing matrix filing in this case.**

/s Jay Ballentine  
\_\_\_\_\_  
Jay Ballentine

North Carolina Department of Revenue  
c/o NC Department of Justice  
Post Office Box 629  
Raleigh, NC 27602-0629

Internal Revenue Service (ED)\*\*  
Post Office Box 21126  
Philadelphia, PA 19114-0326

Fannie Mae  
3900 Wisconsin Ave, NW  
Washington, DC 20016-2892

Employment Security Commission  
Attn: Benefit Payment Control  
Post Office Box 26504  
Raleigh, NC 27611-6504

US Attorney's Office (ED)\*\*  
310 New Bern Avenue  
Suite 800, Federal Building  
Raleigh, NC 27601-1461

Internal Revenue Service (MD)\*\*  
Post Office Box 21126  
Philadelphia, PA 19114-0326

Credit Bureau  
Post Office Box 26140  
Greensboro, NC 27402

Absolute Collection Service \*\*  
421 Fayetteville Street Mall  
Suite 600  
Raleigh, NC 27601

NCO Financial Services \*\*  
PO Box 15630  
Dept 99  
Wilmington, DE 19850

NC Child Support  
Centralized Collections  
Post Office Box 900006  
Raleigh, NC 27675-9006

CitiFinancial  
3823 Guess Road  
Durham, NC 27705

Neil M. O'Toole  
5th Floor, 3100 Tower Blvd.  
Post Office Box 1109  
Durham, NC 27702-1109

Equifax Information Systems LLC  
P.O. Box 740241  
Atlanta, GA 30374-0241

Credit Bureau of Greensboro\*\*  
Post Office Box 26140  
Greensboro, NC 27402-0040

Regional Acceptance  
Post Office Box 61417  
Raleigh, NC 27661

Experian  
P.O. Box 2002  
Allen, TX 75013-2002

Durham County Tax Collector  
Post Office Box 3397  
Durham, NC 27701

Regional Surgical Associates  
Post Office Box 15698  
Durham, NC 27704-0698

Innovis Data Solutions  
Attn: Consumer Assistance  
P.O. Box 1534  
Columbus, OH 43216-1534

Durham Medical Center  
4220 N. Roxboro Rd  
Durham, NC 27704

Santander Consumer USA\*\*  
Attention: Bankruptcy Dept.  
Post Office Box 560284  
Dallas, TX 75356-0284

Trans Union Corporation  
P.O. Box 2000  
Crum Lynne, PA 19022-2000

Durham Regional Hospital  
and Emergency Medical Service  
402 Stadium Drive  
Durham, NC 27704

Shapiro & Ingle, LLP, Attorneys  
8520 Cliff Cameron Drive  
Suite 300  
Charlotte, NC 28269

ChexSystems  
Attn: Consumer Relations  
7805 Hudson Road, Ste. 100  
Woodbury, MN 55125

Everhome Mortgage Company  
Post Office Box 2167  
Jacksonville, FL 32232-0004

Time Warner  
c/o Credit Management  
4200 International PKWY  
Carrollton, TX 75007

US Attorney's Office (MD)\*\*  
Middle District  
Post Office Box 1858  
Greensboro, NC 27502-1858